

Hyman
10/735,683

REMARKS

The undersigned requests a personal interview with the Examiner in charge of this application.

The Abstract was objected to as not conforming in some respects to the requirements of an Abstract. This has been corrected.

Claims 11-14 were rejected as being either obvious over, or anticipated by EP 0 397 607 (Niada). These claims are drawn to the embodiment illustrated in Fig. 9 and have been canceled.

Claims 1-10 were rejected as being unpatentable over the design patent to Eitel (Des. 338,781) in view of Niada.

Eitel illustrates a Foldable Diabetic Supplies Pack which appears to roll up. Without a specification one can only speculate as to what else is shown.

Niada shows a box for containing supplies for a diabetic, and in this rejection was cited for a kit containing insulin sources, and disinfectant pads.

In view of the excellent art cited by the Examiner, claim 1 has been extensively amended to recite certain features that do not appear to be taught or suggested by the applied references, including the fold lines (in Eitel it appears that the case is rolled up), the pair of spaced pockets with the hook or loop fastener therebetween, the receptacle in the form of a loop adjacent to the second fold line, and the formation of a the case when closed of a pair of opposing convex sides forming opposite edges, as clearly illustrated in Figs. 3 and 7. Also, it should be noted that the claimed scope is restricted by the use of the expression "consisting of".

A number of depending claims have been canceled leaving claims 3, 4, 7, 9 and 10 adding details.


In view of the foregoing, it is believed that the claims remaining clearly distinguish over the art of record and should be allowed.

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A conscientious effort has been made to place this application in condition for immediate allowance. The Examiner is requested to call the undersigned or Mr. Kroll if further changes are required to obtain allowance of the application.

A favorable action is solicited.

Respectfully submitted,


LEONARD BELKIN
Reg. No. 18,063
Tel 301-254-8549

For
Michael L. Kroll
Reg. No. 26,755
171 Stillwell Lane
Syosset, New York 11791
Tel 516-367-7777

Dated: Apr. 15, 2005

CERTIFICATE OF FAXING

I hereby certify that this correspondence is being facsimile transmitted to the U. S. Patent and Trademark Office, telephone number 703-872-9306 on April 15, 2005.


Leonard Belkin